

**SHOREVIEW PLANNING COMMISSION
MEETING MINUTES**

January 23, 2007

CALL TO ORDER

Chair Feldsien called the meeting of the January 23, 2007 Shoreview Planning Commission meeting to order at 7:00 p.m.

ROLL CALL

The following members were present: Chair Feldsien, Commissioners Ferrington, Mons, Proud, Solomonson and Wenner.

Commissioner Schumer arrived at 7.20 p.m.

APPROVAL OF AGENDA

MOTION: by Commissioner by Mons, seconded by Commissioner Proud to approve the agenda as submitted.

ROLL CALL: Ayes - 6 Nays - 0

APPROVAL OF MINUTES

MOTION: by Commissioner Mons, seconded by Commissioner Proud to accept the December 19, 2006 Planning Commission meeting minutes as submitted.

ROLL CALL: Ayes - 6 Nays - 0

REPORT ON CITY COUNCIL ACTIONS

At the January 16th City Council meeting, the Council discussed reconsideration of the Goebel variance at 162 Bridge Street. The Planning Commission had approved the variances. Mr. Berglund, Mr. Goebel's neighbor appealed the decision. The City Council upheld the Planning Commission's decision. Mr. Berglund requested reconsideration of the action. The Council determined that the action is within the zoning code and the process was followed. Therefore, there was no basis for reconsideration.

Commissioner Solomonson was appointed to the Highway 49 Task Force. The task force is being established by Ramsey County to consider future improvements to Highway 49.

NEW BUSINESS

SITE & BUILDING PLAN REVIEW

FILE NO.: 2260-07-02
APPLICANT: NARDINI FIRE EQUIPMENT/BEAR PROPERTIES, LLC
LOCATION: 405 COUNTY ROAD E WEST

Presentation by Senior Planner Rob Warwick

Applications have been submitted for a variance and site plan review for the headquarter site for Nardini Fire Equipment/Bear Properties, LLC (“Nardini”). The proposal is to construct an office addition of 2,560 square feet to the existing building. The plan also includes an accessory building, a refuse enclosure, an infiltration basin and a second driveway access off County Road E. Exterior finish materials will be rock face, painted concrete. A rain garden is proposed to improve storm water management. The property is currently two parcels that total 1.94 acres. The two parcels would be combined. The addition would be on the south side of the building and would be 20 feet from the front lot line, less than the required 50 feet. Therefore, a variance is requested. All other setbacks are in compliance. The north and west sides of the building are used for warehousing and service. Growth is driving the expansion. The property is in the Industrial district and also in the Shoreland Overlay district, so lot coverage cannot exceed 60% of lot area.

Off-street parking is provided on the site for 57 vehicles, which exceeds City requirements. A driveway wraps around the entire building for access to parking and the loading area. There are no design standards for the accessory structure, but they are permitted. The trash enclosure will consist of an 8-foot wooden fence, which complies with code. Impervious surface will be approximately 50%, which is less than the 60% maximum. Storm water drains to the north and northeast onto public land owned by the State Department of Transportation and the City of Shoreview. The property is in the Grass Lake drainage area and under the jurisdiction of the Grass Lake Watershed Management Organization (GLWMO). The plan will reduce storm water flow and help improve water quality. A maintenance agreement for the private storm water infrastructure is required. Erosion repair will be done on the adjacent hillside.

The applicant states that the shape of the property constrains development. An addition to another side of the building would interfere with operations. Even with the variance, there will be 75 to 80 feet of green space between the addition and the edge of the street, which meets the intent of the ordinance.

Staff agrees that hardship is present with the configuration of the parcel and configuration of the interior of the existing building. The application complies with all standards in the Development Regulations with the exception of the front setback. The County has been notified of the new driveway. There has been no response, but a County permit is required.

Staff recommends approval with the conditions listed in the staff report and that the two parcels be combined for tax purposes. Any future improvement will require platting the property.

Commissioner Mons noted that the property across County Road E to the south is owned by the railroad where track is located. Therefore, there is no concern for an adjacent residential area that would be affected by the variance.

Commissioner Solomonson asked if Soo Street and County Road E would be altered with future work on I-694. Mr. Warwick stated that there are plans for three lanes on I-694 in each direction. Improvements to County Road E are not anticipated.

Chair Feldsien noted that Commissioner Schumer arrived at 7:20 p.m.

Commissioner Proud asked if the clause in condition No. 9, "Language in the agreement shall include construction management," means site inspections. Mr. Warwick explained that it refers to stockpiling materials, keeping the property and street clean, hours of construction. Site inspections include building inspection and planning staff inspection.

Commissioner Solomonson asked the reason the addition could not be extended to the west. Mr. Warwick explained that the existing office space is on the south and east sides. An addition on the west would interfere with business operations.

Mr. Tom Nardini, Applicant, introduced Jim Evans, Project Architect. The facility houses office staff for all facilities. The staging, storage and shop areas are on the north and west. An addition to the west would disrupt those operations.

MOTION: by Commissioner Mons, seconded by Commissioner Wenner to adopt Resolution 07-04 approving a front setback variance for the proposed building addition at Nardini Fire Equipment, 405 County Road E, subject to the following:

1. The front setback shall be reduced to a minimum of 20 feet. The site shall be developed according to the plans submitted. Minor modifications may be made to the plans subject to approval of the Planning Commission.
2. This approval will expire after one year if a building permit has not been issued and work has not begun on the project.
3. This approval is subject to approval of the Site and Building Plan Review application by the City Council.
4. This approval is subject to a 5-day appeal period. Once the appeal period expires, a building permit may be issued for the proposed project. A building permit must be obtained before any construction activity begins.

Discussion:

Commissioner Proud stated that with 60 feet between the building and the road, the setback variance will have minimal impact now and in the future.

Commissioner Solomonson asked if the location of the proposed driveway will pose a safety risk with long trailers pulling in and out. A lot of traffic is on County Road E coming around the curve near this site.

Chair Feldsien stated that he believes the approach to the road will allow easier access. While there is some traffic, it is a low volume road.

ROLL CALL: Ayes - 7 Nays - 0

MOTION: by Commissioner Mons, seconded by Commissioner Proud to recommend approval of the site and building plan as submitted January 5, 2007, and subject to the nine conditions attached to the motion:

1. The site shall be developed according to the plans submitted. Minor Modifications may be made to the plans subject to approval by the City Planner. Significant changes to the plans require review and approval through the Site and Building Plan review process.
2. Approval of the final grading, drainage, utility, and erosion control plans by the Public Works Director. These plans shall include remediation of erosion that has occurred on the adjacent hillsides.
3. The proposed new driveway access is subject to the permitting requirements of Ramsey County. The County permit shall be obtained prior to issuance of a building permit.
4. The landscaping plan shall be consistent with the grading plan, subject to the final approval of the City Planner. Landscaping shall be installed to screen the accessory structure when viewed from County Road E.
5. A private stormwater infrastructure maintenance agreement, establishing minimum maintenance requirements for the private infrastructure (rain garden/infiltration basin), shall be executed prior to issuance of a building permit.
6. The accessory structure is approved as a temporary building, subject to annual review by the City Planner, to verify screening and storage is consistent with City regulations. No exterior storage of materials is permitted with this approval.
7. The two parcels comprising the development site shall be combined for tax purposes with Ramsey County. Future improvements will require platting the property.
8. Concrete curb and gutter shall be installed in the new drive and any parking areas within the limits of construction.

Commissioner Mons requested that staff alert the Sheriff's office about the underage drinking occurring on the site. Further, the church should be notified about the comment regarding garbage disposal.

Commissioner Solomonson asked if the trash enclosure gates will be left open since they won't close with the larger containers. Ms. Nordine stated that church officials have agreed to look at the issue. There are also recycling bins, and staff has notified the church that they must be screened. Staff will be following up on this issue.

It was the consensus of the Planning Commission to impose a 30-day period by which the church must be in compliance with regard to garbage enclosure and screening.

Commissioner Wenner asked if additional parking is needed with these additions. Ms. Nordine explained that parking requirements are determined by the size of the sanctuary.

Mr. Bob Burrow, Project Architect, stated that he would be willing to answer any questions. He stated that with the kitchen addition, he will suggest the trash enclosure be expanded.

MOTION: by Commissioner Mons, seconded by Commissioner Schumer to recommend the City Council approve the Site and Building Plan Review request for Shepherd of the Hills Lutheran Church, 3920 North Victoria Street, for a proposed kitchen and classroom space addition, subject to the following Conditions:

1. The property shall be developed in accordance with the plans submitted as part of this application and dated December 26, 2006. Minor changes to the plan may be allowed provided approval is received from the City Planner.
2. The applicant shall provide the City with additional information regarding the removal of trees and required replacement prior to the issuance of a building permit.
3. The landscape plan shall be revised to include any required replacement trees and screening of the parking area along Victoria Street when viewed from the south. The applicant shall provide a landscape surety in the amount of 125% of the cost of all landscape improvements. Said surety shall be provided prior to the issuance of a building permit.
4. Exterior building lighting shall be shielded and direct light downward. Details of lighting fixtures shall be submitted to staff for review and approval prior to the issuance of a building permit. Lighting on site shall comply with Section 204.030, Glare of the Development Code.
5. The applicant is required to enter into a Site Development Agreement and an Erosion Control Agreement with the City prior to the issuance of a building permit.

6. The Building Official is authorized to issue a building permit if approved by the City Council.

ROLL CALL: Ayes - 7 Nays - 0

TEXT AMENDMENT - PLANNED UNIT DEVELOPMENT

FILE NO.: **2258-06-60**
APPLICANT: **CITY OF SHOREVIEW**
LOCATION: **CITY WIDE**

Presentation by City Planner Kathleen Nordine

The Planning Commission held a public hearing on this matter at the December meeting. This amendment is necessary to comply with recent case law pertaining to the State's 60-day rule requiring the City to approve or deny a zoning-related request within 60 days of receipt of a completed application, or it is deemed approved. Zoning approval cannot be conditioned on approval of multiple land use applications in a proposal, which may occur after the 60-day period. Upon advice by the City Attorney, changes are being proposed to the ordinance.

Currently, the PUD process consists of three steps. Staff is proposing to change to a two-stage process with an optional concept stage. The optional concept stage would allow the applicant to receive feedback, but details would not be presented and no formal action would be taken. The public hearing would be held at the Development Stage review. Approval would be for six months instead of one year. Criterion B has been revised: 1) includes a benefit standard; 2) the term "public" is eliminated from public benefit; 3) architectural enhancements are distinguished from standard developments; 4) affordable housing and life-cycle housing are clarified; and 5) language is added to consider any reduction in the effectiveness of surface water management as a substantial change that requires formal review through the Development Stage PUD process. Criterion E includes language regarding minimal grading and use of native vegetation.

Staff is recommending the Planning Commission recommend approval to the City Council.

Commissioner Mons asked if posted development signs should be included under No. (4) with public notice. Ms. Nordine explained that posting signs is a City policy but is not in the ordinance.

MOTION: by Commissioner Proud, seconded by Commissioner Ferrington to recommend the City Council adopt the text amendment to Section 203.060, Planned Unit Development (PUD), Procedures. These changes address concerns regarding the current process regarding the 60-day rule and address the benefit that should be received from such developments.

ROLL CALL: Ayes - 7 Nays - 0

MISCELLANEOUS

City Council Assignments

Commissioners Wenner and Solomonson will respectively attend the February 5th and February 20th City Council meetings

Planning Commission Workshop

The Planning Commission will have a workshop meeting either before or after the Planning Commission meeting on February 27th, depending on the length of agenda.

Commissioner Ferrington suggested more information about roofing terms used, especially LED standards. Ms. Nordine agreed to provide general information and resources that Commissioners can refer to.

Airport Zoning Board

Mr. Warwick stated that the Metropolitan Airport Commission is required to establish an active Airport Zoning Board for the Blaine Airport. Meeting times have not yet been determined.

Depending on when the meetings occur, Commissioner Mons agreed to serve as the representative and Commissioner Wenner agreed to serve as an alternate.

Other Items

Commissioner Mons asked if there is a plan for a children's hospital and outpatient clinic in the Rice Creek Corporate Park. Ms. Nordine stated that there is property owned by a clinic, but there has been no indication as to what is planned for the property.

Commissioner Mons asked about the status of Walgreen's, the car wash and gas station. Ms. Nordine stated that no formal application has been received from Walgreen's. They have a purchase agreement with the car wash and also an agreement with the gas station, but there are deed restrictions on the gas station site. The project is moving forward but much slower than was anticipated.

Commissioner Mons noted that the same cars have been parked on the southeast corner of the gas station for some time, making the site unattractive.

Chair Feldsien also noted car sales on private lots

ADJOURNMENT

MOTION: by Commissioner Mons, seconded by Commissioner Solomonson to adjourn the January 23, 2007 Planning Commission meeting at 8:12 p.m.

ROLL CALL: Ayes - 7 Nays - 0

ATTEST:

Kathleen Nordine
City Planner